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GENERAL NOTICE NO. 84

MALAWI ELECTORAL COMMISSION

BY-ELECTIONS ORDER

(Under section 36 of the Parliamentary and Presidential Elections Act of 1998, as read with section 63 1 (d) and (2) of the Constitution of the Republic of Malawi).

(Under section 36 of the Local Government Elections Act)

WHEREAS it is provided in the Constitution that the Commission shall conduct and supervise Parliamentary By-Elections and Local Government By-Elections to fill vacant seats in the National Assembly and Local Council;

WHEREAS it is provided under the Parliamentary and Presidential Elections Act and Local Government Elections Act that the Commission shall appoint a place, date and time for the receipt of nomination papers from candidates by Returning Officers;

WHEREAS it is provided under the Parliamentary and Presidential Elections Act and Local Government Elections Act that candidates for the office of the National Assembly and Local Council shall pay such sum of money as fixed by the Commission on nomination to be tendered together with their nomination papers;

WHEREAS it is provided under the Parliamentary and Presidential Elections Act and Local Government Elections Act that all political parties and candidates shall have the right to campaign in public in an election and that the supporters thereof shall either alone or in common with others enjoy complete and unhindered freedom of peaceful Assembly in campaigning in an election;

WHEREAS it is provided under the Parliamentary and Presidential Elections Act and Local Government Elections Act, that a voters' register shall be open for inspection for purposes of verifying the entries therein by voters, representatives of political parties and observers;

WHEREAS it is provided under the Parliamentary and Presidential Elections Act and Local Government Elections Act that a voters' register shall be open for updating;

NOW THEREFORE, the Commission issues notice for the purposes of the Parliamentary and Local Government By-Elections by declaring as follows—

1. That following the death of Mrs. Agnes Penemulungu, UTM Parliamentary candidate in Lilongwe South Parliamentary election which led to the subsequent postponement of the elections, the election to the office of Member of National Assembly for

Lilongwe South shall be conducted on **Tuesday, 5th November, 2019.**

2. That following the death of Mr. Alick Kambanizithe Banda on 18th September, 2019 at Kamuzu Central Hospital who was Ward Councillor of Matenje Ward in Kasungu North West Constituency (Kasungu District), the election of Councillor for Matenje Ward shall be conducted on **Tuesday, 5th November, 2019.**

3. That the Commission has appointed **16th October, 2019** as the day on which the Returning Officers shall receive nomination papers from candidates wishing to stand for the office of Member of National Assembly and the office of a Councillor at Council level from 8:00 a.m. to 4:00 p.m. at the following places—

(a) Malingunde Teachers Development Centre for Lilongwe South Constituency;

(b) Chulu Teachers Development Centre for Matenje Ward in Kasungu District Council;

Nomination papers will be available at the District Commissioner's Offices at Lilongwe District Council and Kasungu District Council and at the aforementioned TDCs, from 6th October, 2019. Aspiring candidates in these Constituencies and Wards and/or their agents may collect the nomination papers on any other day from that day so long as they are presented back to the Returning Officer on 16th October, 2019. Those candidates who already submitted their nomination papers for the postponed 21st May, 2019 Parliamentary Elections in Lilongwe South Constituency only write the Electoral Commission renewing their intent to contest by 4 o'clock in the afternoon on 16th October, 2019.

(c) The Commission further orders that the nomination deposit payable by fresh contestants for members of the National Assembly shall be **MK500,000 for male candidates and MK250,000.00 for female candidates. The youth shall pay K375,000 and people with disabilities shall pay K250,000 by the nomination date whose sum is non refundable.**

(d) The Commission further orders that the nomination deposit payable by contestants for Local Government Elections shall be **MK40,000.00 for male candidates and MK20,000.00 for female candidates and the Youth K30,000 whereas people with disabilities shall pay K20,000 by the nomination date in which case the fees are non refundable.**

(e) That the voters' register shall be made available for inspection to those who already registered and to register those who never registered before from 10th to 11th October, 2019 in all registration centers in Lilongwe South Constituency and Matenje Ward from 8:00 am to 4:00 pm.

Declared this 5th day of October, 2019 at Blantyre.

SAMMY ALFANDIKA
Chief Elections Officer